

1989-01-20 10:50:00-0400

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON**

UNITED STATES OF AMERICA ) CR No. OC-1-60069-1-AA  
 )  
 v. ) INFORMATION  
 )  
 DARREN TODD THURSTON, ) [18 U.S.C. §§ 371, 844(f), 844(i), and  
 ) 1366(a)]  
 )  
 Defendant. )

## THE UNITED STATES ATTORNEY CHARGES:

### COUNT 1

## **CONSPIRACY TO COMMIT ARSON AND DESTRUCTION OF ENERGY FACILITY**

## I. OBJECT OF THE CONSPIRACY

Beginning in October 1996 and continuing through October 2001, in the District of Oregon and elsewhere, defendants JOSEPHINE SUNSHINE OVERAKER, KEVIN TUBBS, STANISLAS GREGORY MEYERHOFF, DANIEL GERARD McGOWAN, JOSEPH DIBEE, REBECCA RUBIN, CHELSEA DAWN GERLACH, KENDALL TANKERSLEY, SUZANNE SAVOIE, JONATHAN CHRISTOPHER MARK PAUL, DARREN TODD THURSTON, NATHAN FRASER BLOCK, and JOYANNA L. ZACHER, and unindicted co-conspirators

JACOB JEREMIAH FERGUSON and WILLIAM C. RODGERS, and others, willfully and knowingly conspired and agreed to commit the following offenses against the United States:

to maliciously damage or destroy, or attempt to damage or destroy, by means of fire or an explosive, any building, vehicle or other personal or real property in whole or in part owned or possessed by, or leased to, the United States or any department or agency thereof, in violation of Title 18, United States Code, Section 844(f)(1);

to maliciously damage or destroy, or attempt to damage or destroy, by means of fire or an explosive, any building, vehicle or other real or personal property used in interstate commerce or in any activity affecting interstate commerce, in violation of Title 18, United States Code, Section 844(i); and

to knowingly and willfully damage and attempt to damage the property of an energy facility of the United States involved in the transmission and distribution of electricity, in an amount exceeding or which would have exceeded \$100,000, in violation of Title 18, United States Code, Section 1366(a).

**II. MANNER AND MEANS OF THE CONSPIRACY**

The foregoing objects of the conspiracy were to be accomplished in the following manner and means by the above-listed defendants and others at various times during the course of the conspiracy:

1. Certain of the defendants and others joined together in a group they called the “Family.” This “Family” was what is commonly known as a “cell” of groups and movements

publicly named and described by certain of the defendants and others as the Earth Liberation Front (ELF), the Animal Liberation Front (ALF), and other names.

2. The general purposes of the conspiracy were to influence and affect the conduct of government, commerce, private business and others in the civilian population by means of force, violence, sabotage, mass destruction, intimidation and coercion, and by similar means to retaliate against the conduct of government, commerce and private business. To achieve these purposes, the conspirators committed and attempted to commit acts dangerous to human life and property that constituted violations of the criminal laws of the United States and of individual states.

3. Certain of the defendants and others targeted for arson buildings, vehicles and other real and personal property owned, possessed, and leased by the United States and its departments and agencies.

4. Certain of the defendants and others targeted for arson buildings, vehicles and other real and personal property used in interstate commerce and in activities affecting interstate commerce.

5. Certain of the defendants and another person targeted for willful damage an energy facility of the United States involved in the transmission and distribution of electricity, in an amount exceeding or which would have exceeded \$100,000.

6. Certain of the defendants and others conducted and participated in meetings to plan arsons and other damage of the targeted sites. Several of these meetings were called "Book Club" meetings by the defendants and others and occurred at distant locations. The "Book Club" meetings covered subjects such as lock-picking, computer security, encrypted messaging,

reconnaissance of targets, and manufacture of timing devices to initiate improvised incendiary devices.

7. Certain of the defendants and others conducted research and surveillance of sites targeted for arson and other damage.

8. In discussing their actions among themselves, certain of the defendants and others used code words, code names, and nicknames.

9. Certain of the defendants and others designed and constructed destructive devices which functioned as incendiary bombs to ignite fires and destroy the targets.

10. Certain of the defendants and others provided transportation to the sites targeted for arson and other damage.

11. Certain of the defendants and others dressed in dark clothing, wore masks and gloves and otherwise disguised their appearance.

12. Certain of the defendants and others acted as "lookouts" to ensure secrecy as the crimes were carried out.

13. Certain of the defendants and others placed destructive devices and accelerants at sites targeted for arson and ignited or attempted to ignite the devices and accelerants.

14. Certain of the defendants and others, by means of fire and explosives, maliciously damaged and destroyed, and attempted to damage and destroy, buildings, vehicles and other real and personal property owned and possessed by the United States and its departments and agencies.

15. Certain of the defendants and others, by means of fire and explosives, maliciously

damaged and destroyed, and attempted to damage and destroy, buildings, vehicles and other real and personal property used in interstate commerce and in activities affecting interstate commerce.

16. Certain of the defendants and another person willfully damaged and attempted to damage the property of an energy facility of the United States involved in the transmission and distribution of electricity, in an amount exceeding or which would have exceeded \$100,000.

17. In some of the arsons and attempted arsons, certain of the defendants and others painted messages on the walls of the targets, including "Earth Liberation Front," "ELF" and related names and statements concerning the purposes of the crimes.

18. After the arsons, attempted arsons and other crimes, certain of the defendants and others provided transportation away from the scenes of the crimes.

19. After the arsons, attempted arsons and other crimes, certain of the defendants and others destroyed, buried, hid and otherwise disposed of physical evidence used in the commission of the crimes.

20. After the arsons, certain of the defendants and others publicized and promoted the results of the fires by means of written press releases and communiqus attributing the arsons to the Earth Liberation Front (ELF), the Animal Liberation Front (ALF) and related groups, and stating the purposes of the arsons.

21. Before, during and after the arsons, attempted arsons and other crimes, certain of the defendants and others agreed and took an oath among themselves never to reveal to law enforcement authorities or to anyone else outside "the Family" the identity of the conspirators and participants in the arsons, attempted arsons and other crimes.

22. Before, during and after the arsons, attempted arsons and other crimes, certain of the defendants and others agreed among themselves to conceal or destroy any evidence connecting them to the arsons, attempted arsons and other crimes.

23. Before, during and after the arsons, attempted arsons and other crimes, certain of the defendants and others possessed and/or used false identification documents in order to conceal their true identities.

24. After the arsons, attempted arsons and other crimes, certain of the defendants and others fled and secreted themselves in foreign countries in order to avoid detection and arrest by law enforcement authorities in the United States.

### **III. OVERT ACTS**

In order to carry out the objects of the conspiracy, defendants and other persons committed various overt acts within the District of Oregon and elsewhere, including but not limited to the following:

1. On or about October 28, 1996, in Marion County, Oregon, defendant JOSEPHINE SUNSHINE OVERAKER and JACOB JEREMIAH FERGUSON unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the attempt to damage or destroy, by means of fire and an explosive, a building and other real and personal property owned and possessed by the United States and the United States Forest Service of the Department of Agriculture, located at the Detroit Ranger Station on the Willamette National Forest.

1a. At a time prior to October 28, 1996, defendant JOSEPHINE SUNSHINE OVERAKER and JACOB JEREMIAH FERGUSON prepared and tested a time-delayed incendiary device.

1b. On or about October 28, 1996, defendant JOSEPHINE SUNSHINE OVERAKER and JACOB JEREMIAH FERGUSON drove to the U.S. Forest Service Detroit Ranger Station in Marion County, Oregon, with an incendiary device which was placed on the roof of a U.S. Forest Service building. That incendiary device failed to function.

1c. On or about October 28, 1996, defendant JOSEPHINE SUNSHINE OVERAKER spray-painted graffiti on the sides of a U.S. Forest Service building and vehicles which included the words "Earth Liberation Front."

2. On or about October 28, 1996 in Marion County, Oregon, defendant JOSEPHINE SUNSHINE OVERAKER and JACOB JEREMIAH FERGUSON unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the malicious damaging and destroying, by means of a fire and an explosive, a vehicle and other real and personal property owned and possessed by the United States and the United States Forest Service of the Department of Agriculture, located at the Detroit Ranger Station on the Willamette National Forest.

2a. On or about October 28, 1996, defendant JOSEPHINE SUNSHINE OVERAKER and JACOB JEREMIAH FERGUSON intended and caused fire damage to a U.S. Forest Service vehicle.

3. On or about October 30, 1996, in Lane County, Oregon, defendants JOSEPHINE SUNSHINE OVERAKER, KEVIN TUBBS, and JACOB JEREMIAH FERGUSON unlawfully

and willfully caused and aided, abetted, counseled, commanded, induced, and procured the malicious damaging and destroying, by means of fire and an explosive, of a building and other real and personal property owned and possessed by the United States and the United States Forest Service of the Department of Agriculture, located at the Oakridge Ranger Station on the Willamette National Forest.

3a. On or about October 30, 1996, in Lane County, Oregon, defendants JOSEPHINE SUNSHINE OVERAKER, KEVIN TUBBS, and JACOB JEREMIAH FERGUSON drove to the U.S. Forest Service Oakridge Ranger Station, and set fire to the Ranger Station.

3b. On or about October 30, 1996, in Lane County, Oregon, defendants JOSEPHINE SUNSHINE OVERAKER, KEVIN TUBBS, and JACOB JEREMIAH FERGUSON, while leaving the parking lot of the U.S. Forest Service Oakridge Ranger Station, threw nails onto the parking lot in order to slow down responding emergency vehicles.

3c. On or about October 30, 1996, in Lane County, Oregon, defendants JOSEPHINE SUNSHINE OVERAKER, KEVIN TUBBS, and JACOB JEREMIAH FERGUSON, while leaving the U.S. Forest Service Oakridge Ranger Station and driving westbound on Highway 58 towards Eugene, Oregon, discarded their gloves in a reservoir near the Lowell Bridge.

4. On or about July 21, 1997, at Redmond, Deschutes County, Oregon, defendants KEVIN TUBBS, JOSEPH DIBEE, JONATHAN CHRISTOPHER MARK PAUL, JENNIFER KOLAR, and JACOB JEREMIAH FERGUSON unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the malicious damaging and destroying, by means of fire and an explosive, of a building and other real and personal property used in

interstate commerce and in activities affecting interstate commerce, at Cavel West, Inc., 1607 SE Railroad, Redmond, Oregon.

4a. Approximately one week prior to the July 21, 1997 arson at Cavel West, Inc., defendants KEVIN TUBBS, JONATHAN CHRISTOPHER MARK PAUL, JOSEPH DIBEE, and JACOB JEREMIAH FERGUSON went on a reconnaissance in order to locate a staging area where the participants could complete final preparations prior to committing the arson.

4b. Prior to the July 21, 1997 arson at Cavel West Inc., defendants JONATHAN CHRISTOPHER MARK PAUL, and JENNIFER KOLAR prepared a mixture of soap and petroleum products which was the fuel used in the time-delayed incendiary devices.

4c. On or about July 21, 1997, defendants KEVIN TUBBS, JOSEPH DIBEE, JONATHAN CHRISTOPHER MARK PAUL, JENNIFER KOLAR, and JACOB JEREMIAH FERGUSON drove to the previously chosen staging area near Cavel West, Inc., and upon arrival dressed in dark clothing, masks, and gloves, and dug a hole at the staging area in which to bury their dark clothing upon completion of the arson.

4d. On or about July 21, 1997, defendants KEVIN TUBBS, JOSEPH DIBEE, JONATHAN CHRISTOPHER MARK PAUL, JENNIFER KOLAR, and JACOB JEREMIAH FERGUSON completed a two-way radio check with one another and confirmed their scanner and radios functioned properly.

4e. On or about July 21, 1997, defendants KEVIN TUBBS, JOSEPH DIBEE, JONATHAN CHRISTOPHER MARK PAUL, JENNIFER KOLAR, and JACOB JEREMIAH FERGUSON went to the location of Cavel West, Inc., to place time-delayed incendiary devices on and about that location.

4f. On or about July 21, 1997, defendant JOSEPH DIBEE drilled holes through the wall of the Cavel West, Inc. facility so as to allow fuel to be poured directly into the building.

4g. On or about July 21, 1997, defendants KEVIN TUBBS, JOSEPH DIBEE, JONATHAN CHRISTOPHER MARK PAUL, JENNIFER KOLAR, and JACOB JEREMIAH FERGUSON, upon placing the time-delayed incendiary devices at Cavel West, Inc., traveled back to the staging area, removed their dark clothes and shoes, placed them in the hole, poured acid on the clothing in the hole and then buried the items.

4h. On or about July 26, 1997, certain defendants in the Cavel West arson issued a written communique attributing the fire to the Animal Liberation Front (ALF) and the Equine and Zebra Liberation Front. The communique was publicized by Craig Rosebraugh of the Liberation Collective in Portland, Oregon.

4i. Approximately three years after July 21, 1997, defendant JOSEPH DIBEE and JENNIFER LYNN KOLAR contacted defendant KEVIN TUBBS and told KEVIN TUBBS to return to the staging area and retrieve the buried clothes.

5. On or about November 30, 1997, in Harney County, Oregon, defendants JOSEPHINE SUNSHINE OVERAKER, KEVIN TUBBS, JACOB JEREMIAH FERGUSON, REBECCA RUBIN, and unindicted co-conspirator WILLIAM C. RODGERS unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the malicious damaging and destroying, by means of fire and an explosive, of buildings and other real and personal property owned and possessed by the United States and the Bureau of Land Management of the Department of the Interior, located at the Wild Horse and Burro Facility, Burns, Harney County, Oregon.

5a. Approximately three months prior to November 30, 1997, defendants JOSEPHINE SUNSHINE OVERAKER, JACOB JEREMIAH FERGUSON, KEVIN TUBBS, and unindicted co-conspirator WILLIAM C. RODGERS did a reconnaissance at and near the Wild Horse and Burro Facility, to prepare themselves for the arson and horse release.

5b. Sometime prior to November 30, 1997, defendant JOSEPHINE SUNSHINE OVERAKER and JACOB JEREMIAH FERGUSON obtained five-gallon, white plastic buckets and the fuel to be used in making time-delayed incendiary devices.

5c. Sometime prior to November 30, 1997, persons known and unknown to the Grand Jury prepared the five-gallon plastic buckets by wiping the buckets to ensure all fingerprints were removed, and painted them with black spray paint.

5d. Sometime prior to November 30, 1997, defendants JOSEPHINE SUNSHINE OVERAKER, KEVIN TUBBS, JACOB JEREMIAH FERGUSON, REBECCA RUBIN, and unindicted co-conspirator WILLIAM C. RODGERS obtained additional components and assembled time-delayed incendiary devices, which were composed of kitchen timers, matches, sponges, model rocket igniters, one-gallon jugs filled with fuel and five-gallon buckets which contained fuel.

5e. On or about November 30, 1997, defendants JOSEPHINE SUNSHINE OVERAKER, KEVIN TUBBS, JACOB JEREMIAH FERGUSON, REBECCA RUBIN, and unindicted co-conspirator WILLIAM C. RODGERS arrived at the Wild Horse and Burro Facility, cut the lock on the front gate, released horses and burros, placed time-delayed incendiary devices in and around the facility and left the area.

5f. On or about December 5, 1997, certain defendants in the Wild Horse and Burro Facility arson issued a communique attributing the fire and horse release to the Earth Liberation Front (ELF) and the Animal Liberation Front (ALF). The communique was publicized by Craig Rosebraugh of the Liberation Collective in Portland, Oregon.

6. On or about June 21, 1998, at Olympia, Washington, in the Western District of Washington, defendants JOSEPHINE SUNSHINE OVERAKER, KEVIN TUBBS, JACOB JEREMIAH FERGUSON, JOSEPH DIBEE, and unindicted co-conspirator WILLIAM C. RODGERS willfully caused and aided, abetted, counseled, commanded, induced, and procured the malicious damaging and destroying, by means of fire and an explosive, of a building and other real and personal property leased and possessed by the United States and the Animal, Plant and Health Inspection Service (APHIS) of the Department of Agriculture, located at the National Wildlife Research Facility, 9701 Blomberg Street SW, Olympia, Washington.

6a. Approximately two weeks before June 21, 1998, defendants KEVIN TUBBS, JOSEPH DIBEE, and unindicted co-conspirator JACOB JEREMIAH FERGUSON met in Olympia, Washington, to discuss plans for the APHIS arson, and agreed at that time there would be a second and simultaneous arson committed when the APHIS arson was to occur.

6b. At a time prior to June 21, 1998, defendant JOSEPHINE SUNSHINE OVERAKER and unindicted co-conspirator JACOB JEREMIAH FERGUSON prepared five-gallon buckets by wiping the buckets to remove any fingerprints, and obtained fuel for the APHIS arson.

6c. At a time prior to June 21, 1998, defendant KEVIN TUBBS utilized false identification to acquire a van which was used in the APHIS arson.

6d. On or about June 21, 1998, defendant JOSEPHINE SUNSHINE OVERAKER, while attempting to steal items in preparation for the APHIS arson, was arrested by authorities for shoplifting.

6e. On or about June 21, 1998, defendant KEVIN TUBBS and JACOB JEREMIAH FERGUSON transferred five-gallon buckets of fuel to be used in the APHIS arson from a van purchased by KEVIN TUBBS to a vehicle owned by unindicted co-conspirator WILLIAM C. RODGERS.

6f. On or about June 21, 1998, defendant KEVIN TUBBS and unindicted co-conspirators JACOB JEREMIAH FERGUSON and WILLIAM C. RODGERS drove to the APHIS facility and placed five-gallon buckets filled with fuel at locations at and around the facility, and ignited the fuel-filled buckets by hand.

6g. On or about June 22, 1998, certain defendants in the APHIS arson issued a communique attributing the fire to the Earth Liberation Front (ELF) and the Animal Liberation Front (ALF). The communique was publicized by Katie Fedor of the North American ALF Press Office.

6h. At a time after June 22, 1998, defendant KEVIN TUBBS assisted in the disposal of the van used in the APHIS arson.

7. In about September 1998, at Rock Springs, Wyoming, in the District of Wyoming, defendants KEVIN TUBBS, REBECCA RUBIN, and unindicted co-conspirators JACOB JEREMIAH FERGUSON, WILLIAM C. RODGERS, and others, unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the attempt to damage or destroy, by means of fire and an explosive, a building and other real and personal property

owned and possessed by the United States and the Bureau of Land Management of the Department of the Interior, located at the Wild Horse Holding Facility, Rock Springs, Wyoming.

7a. In or about September 1998, defendants KEVIN TUBBS, REBECCA RUBIN, and unindicted co-conspirators JACOB JEREMIAH FERGUSON and WILLIAM C. RODGERS arrived at the staging area near Rock Springs, Wyoming, assigned roles, prepared time-delayed incendiary devices, and made preparations for the arson, when a law enforcement officer made inquiry as to their presence at that location.

7b. In or about September, 1998, defendants KEVIN TUBBS, REBECCA RUBIN, and unindicted co-conspirators JACOB JEREMIAH FERGUSON, WILLIAM C. RODGERS, and others, buried the time-delayed incendiary devices in an attempt to avoid detection.

8. On or about October 11, 1998, at Rock Springs, Wyoming, in the District of Wyoming, defendants JOSEPHINE SUNSHINE OVERAKER, KEVIN TUBBS, STANISLAS GREGORY MEYERHOFF, REBECCA RUBIN, CHELSEA DAWN GERLACH, and unindicted co-conspirators JACOB JEREMIAH FERGUSON and WILLIAM C. RODGERS unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the attempt to damage and destroy, by means of fire and an explosive, buildings and other real and personal property owned and possessed by the United States and the Bureau of Land Management of the Department of the Interior, located at the Wild Horse Holding Facility, Rock Springs, Wyoming.

8a. On or about October 11, 1998, defendants JOSEPHINE SUNSHINE OVERAKER, KEVIN TUBBS, STANISLAS GREGORY MEYERHOFF, REBECCA RUBIN, CHELSEA DAWN GERLACH, and unindicted co-conspirators JACOB JEREMIAH

FERGUSON and WILLIAM C. RODGERS brought digital timers, containers of fuel, two-way radios and a scanner, to a staging area near the Wild Horse Holding Facility.

8b. On or about October 11, 1998, at Rock Springs, Wyoming, defendants JOSEPHINE SUNSHINE OVERAKER, KEVIN TUBBS, STANISLAS GREGORY MEYERHOFF, REBECCA RUBIN, CHELSEA DAWN GERLACH, and unindicted co-conspirators JACOB JEREMIAH FERGUSON and WILLIAM C. RODGERS went to the Wild Horse Holding Facility, and began the release of horses and the placing of incendiary devices in and about the facility.

8c. On or about October 11, 1998, at Rock Springs, Wyoming, defendants JOSEPHINE SUNSHINE OVERAKER, KEVIN TUBBS, STANISLAS GREGORY MEYERHOFF, REBECCA RUBIN, CHELSEA DAWN GERLACH, and unindicted co-conspirators JACOB JEREMIAH FERGUSON and WILLIAM C. RODGERS hid timing devices in large rock out-croppings near the Wild Horse Holding Facility, after hearing on their scanner that police had been dispatched to their location.

8d. On or about November 13, 1998, certain defendants in the Wild Horse Holding Facility attempted arson issued a statement attributing responsibility for the horse release and attempted arson to the Animal Liberation Front (ALF).

9. On or about October 19, 1998, in Eagle County, Colorado, defendants JOSEPHINE SUNSHINE OVERAKER, KEVIN TUBBS, STANISLAS GREGORY MEYERHOFF, REBECCA RUBIN, CHELSEA DAWN GERLACH, and unindicted co-conspirators JACOB JEREMIAH FERGUSON and WILLIAM C. RODGERS unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the malicious

damaging and destroying, by means of fire and explosives, of buildings and other real and personal property used in interstate commerce and in activities affecting interstate commerce, at the Vail Ski Facility.

9a. On or about October 21, 1998, certain defendants in the Vail arson issued a communique attributing the fire to the Earth Liberation Front (ELF).

10. On or about December 22, 1998, at Medford, Jackson County, Oregon, defendants KENDALL TANKERSLEY, KEVIN TUBBS, REBECCA RUBIN, and unindicted co-conspirator JACOB JEREMIAH FERGUSON unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the attempt to damage or destroy, by means of fire and an explosive, a building and other real and personal property used in interstate commerce and used in activities affecting interstate commerce, namely, an office building and its contents at U.S. Forest Industries, 2611 Whittle Avenue, Medford, Jackson County, Oregon.

10a. A few weeks prior to December 22, 1998, defendants KENDALL TANKERSLEY, KEVIN TUBBS, REBECCA RUBIN, and unindicted co-conspirator JACOB JEREMIAH FERGUSON performed a reconnaissance and "dry run" for the arson at the U.S. Forest Industries building in Medford, Oregon.

10b. On or about December 22, 1998, at Medford, Jackson County, Oregon, defendants KENDALL TANKERSLEY, KEVIN TUBBS, REBECCA RUBIN, and unindicted co-conspirator JACOB JEREMIAH FERGUSON placed time-delayed incendiary devices at and about the U.S. Forest Industries building.

10c. Prior to December 27, 1998, after placement of the time-delayed incendiary devices at the U.S. Forest Industries building, defendant KENDALL TANKERSLEY and

unindicted co-conspirator JACOB JEREMIAH FERGUSON searched the media and found no mention of the burning of the U.S. Forest Industries building.

10d. Between December 22 and 27, 1998, defendant KENDALL TANKERSLEY and another person returned to the U.S. Forest Industries building to check on the destructive devices.

11. On or about December 27, 1998, at Medford, Jackson County, Oregon, defendant KENDALL TANKERSLEY and unindicted co-conspirator JACOB JEREMIAH FERGUSON unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the malicious damaging and destroying, by means of fire and an explosive, of a building and other real and personal property used in interstate commerce and used in activities affecting interstate commerce, namely, an office building and its contents at U.S. Forest Industries, 2611 Whittle Avenue, Medford, Jackson County, Oregon.

11a. On or about December 27, 1998, defendant KENDALL TANKERSLEY and unindicted co-conspirator JACOB JEREMIAH FERGUSON returned to the U.S. Forest Industries building, placed a new time-delayed incendiary device at or about the building, and left the area.

11b. On or about December 27, 1998, defendant KENDALL TANKERSLEY and unindicted co-conspirator JACOB JEREMIAH FERGUSON traveled to Dunsmuir, California, to avoid detection.

11c. On or about December 27, 1998, defendant KENDALL TANKERSLEY registered under the false name of Teresa Capelli in the Cedar Lodge Motel in Dunsmuir, California.

11d. On or about January 16, 1999, certain defendants in the U.S. Forest Industries arson issued a communique attributing the fire to the Earth Liberation Front (ELF). The communique was publicized by Craig Rosebraugh of the Liberation Collective in Portland, Oregon.

12. On or about May 9, 1999, at Eugene, Lane County, Oregon, defendants JOSEPHINE SUNSHINE OVERAKER, KEVIN TUBBS, STANISLAS GREGORY MEYERHOFF, CHELSEA DAWN GERLACH, and unindicted co-conspirator JACOB JEREMIAH FERGUSON, and others, unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the malicious damaging and destroying, by means of fire and an explosive, of a building and other real and personal property used in interstate commerce and in activities affecting interstate commerce, at Childers Meat Company, 29476 Airport Road, Eugene, Lane County, Oregon.

12a. On or about May 9, 1999, defendants JOSEPHINE SUNSHINE OVERAKER, KEVIN TUBBS, STANISLAS GREGORY MEYERHOFF, CHELSEA DAWN GERLACH, and unindicted co-conspirator JACOB JEREMIAH FERGUSON and another prepared five-gallon buckets, timers and fuel for the arson which was to occur at the Childers Meat Company, Eugene, Oregon.

12b. On or about May 9, 1999, defendants JOSEPHINE SUNSHINE OVERAKER, KEVIN TUBBS, STANISLAS GREGORY MEYERHOFF, CHELSEA DAWN GERLACH, and unindicted co-conspirator JACOB JEREMIAH FERGUSON and another traveled to the Childers Meat Company and placed one time-delayed incendiary device near the front of the office building and placed another such device at the back of the building near a gas meter.

12c. On or about May 27, 1999, certain defendants in the Childers arson issued a communique attributing the fire to the Animal Liberation Front (ALF). The communique was publicized by the ALF Frontline Information Service.

13. On or about December 25, 1999, at Monmouth, Polk County, Oregon, defendants JOSEPHINE SUNSHINE OVERAKER, STANISLAS GREGORY MEYERHOFF, CHELSEA DAWN GERLACH, and unindicted co-conspirator JACOB JEREMIAH FERGUSON unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the malicious damaging and destroying, by means of fire and an explosive, of a building and other real and personal property used in interstate commerce and in activities affecting interstate commerce, at the Boise Cascade Office, 450 North Pacific Avenue, Monmouth, Polk County, Oregon.

13a. On or about December 25, 1999, defendants JOSEPHINE SUNSHINE OVERAKER, STANISLAS GREGORY MEYERHOFF, CHELSEA DAWN GERLACH, and unindicted co-conspirator JACOB JEREMIAH FERGUSON prepared time-delayed incendiary devices to be used at the Boise Cascade Office, and, after disguising the devices by wrapping them in Christmas paper, transported the devices to the Boise Cascade Office location.

13b. On or about December 25, 1999, at Monmouth, Polk County, Oregon, defendants JOSEPHINE SUNSHINE OVERAKER, STANISLAS GREGORY MEYERHOFF, CHELSEA DAWN GERLACH, and unindicted co-conspirator JACOB JEREMIAH FERGUSON placed time-delayed incendiary devices at and about the Boise Cascade Office building and left the area.

13c. On or about December 30, 1999, certain defendants in the Boise Cascade arson issued a communique attributing the fire to the Earth Liberation Front (ELF). The communique

was publicized by Craig Rosebraugh of the Liberation Collective in Portland, Oregon, and the North American ELF Press Office.

14. On or about December 30, 1999, in Deschutes County, Oregon, defendants JOSEPHINE SUNSHINE OVERAKER, STANISLAS GREGORY MEYERHOFF, CHELSEA DAWN GERLACH, and unindicted co-conspirator JACOB JEREMIAH FERGUSON willfully damaged and attempted to damage the property of an energy facility of the United States, namely, a Bonneville Power Administration tower, involved in the transmission and distribution of electricity near the City of Bend, Oregon, in an amount exceeding or which would have exceeded \$100,000.

15. During 2000 and 2001, several of the defendants and others met in what the participants called "Book Club" meetings. These meetings occurred in Eugene, Oregon; Tucson, Arizona; Santa Cruz, California; and Sisters, Oregon. The participants conducted classes at these meetings in clandestine methods of committing direct actions, including the manufacture of mechanical and electrical timing devices for setting off improvised incendiary devices, reconnaissance of targets, lock-picking, and computer security.

16. On or about September 6, 2000, at Eugene, Lane County, Oregon, defendants STANISLAS GREGORY MEYERHOFF, KEVIN TUBBS and CHELSEA DAWN GERLACH unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the malicious damaging and destroying, by means of fire and an explosive, of a building and other real and personal property used in interstate commerce and in activities affecting interstate commerce, at the Eugene Police Department West University Public Safety Station, 791 East 13<sup>th</sup> Avenue, Eugene, Oregon.

16a. On or about September 6, 2000, defendants STANISLAS GREGORY MEYERHOFF, KEVIN TUBBS and CHELSEA DAWN GERLACH traveled to the Eugene Police Department West University Public Safety Station and placed time-delayed incendiary devices at and about the police station.

17. On or about January 2, 2001, at Glendale, Douglas County, Oregon, defendants STANISLAS GREGORY MEYERHOFF, KEVIN TUBBS, DANIEL GERARD McGOWAN, SUZANNE SAVOIE, and unindicted co-conspirator JACOB JEREMIAH FERGUSON unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the malicious damaging and destroying, by means of fire and an explosive, of a building and other real and personal property used in interstate commerce and used in activities affecting interstate commerce, namely, a building and its contents located at Superior Lumber Company, 2695 Glendale Valley Road, Glendale, Douglas County, Oregon.

17a. On or about January 2, 2001, defendants STANISLAS GREGORY MEYERHOFF, KEVIN TUBBS, DANIEL GERARD McGOWAN, SUZANNE SAVOIE, and unindicted co-conspirator JACOB JEREMIAH FERGUSON traveled in separate vehicles to a predetermined staging area at a rest area located just north of the town of Glendale, Oregon, on Interstate 5, where they dressed in dark clothing and put on their radio earpieces and masks.

17b. On or about January 2, 2001, defendants STANISLAS GREGORY MEYERHOFF, KEVIN TUBBS, DANIEL GERARD McGOWAN, SUZANNE SAVOIE, and unindicted co-conspirator JACOB JEREMIAH FERGUSON traveled to the Superior Lumber Company building, set up lookouts, positioned the "pick-up" vehicle, placed the time-delayed incendiary devices, and returned to the staging area.

17c. On or about January 2, 2001, defendants STANISLAS GREGORY MEYERHOFF, KEVIN TUBBS, DANIEL GERARD McGOWAN, SUZANNE SAVOIE, and unindicted co-conspirator JACOB JEREMIAH FERGUSON, upon returning to the staging area, changed their clothing and disposed of their dark clothing.

17d. On or about January 6, 2001, certain defendants in the Superior Lumber Company arson issued a communique attributing the fire to the Earth Liberation Front (ELF). The communique was publicized by Craig Rosebraugh of the North American ELF Press Office.

18. On or about March 30, 2001, at Eugene, Lane County, Oregon, defendants STANISLAS GREGORY MEYERHOFF, KEVIN TUBBS, NATHAN FRASER BLOCK, JOYANNA L. ZACHER, and unindicted co-conspirator WILLIAM C. RODGERS, unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the malicious damaging and destroying, by means of fire and an explosive, of vehicles and other personal property used in interstate commerce and in activities affecting interstate commerce, at Joe Romania Chevrolet Truck Center, 1425 Walnut Street, Eugene, Oregon.

18a. On or about March 30, 2001, defendants STANISLAS GREGORY MEYERHOFF, KEVIN TUBBS, NATHAN FRASER BLOCK, JOYANNA L. ZACHER, and unindicted co-conspirator WILLIAM C. RODGERS traveled to Joe Romania Chevrolet Truck Center and stationed KEVIN TUBBS and JOYANNA L. ZACHER as lookouts, while the others placed an incendiary device and plastic containers filled with gasoline underneath the vehicles and connected the vehicles and containers with rolled-up sheets soaked in gasoline.

18b. On or about March 31, 2001, certain defendants in the Romania Chevrolet arson issued a communique which was publicized by Craig Rosebraugh of the North American ELF Press Office.

19. On or about May 21, 2001, at Clatskanie, Columbia County, Oregon, defendants STANISLAS GREGORY MEYERHOFF, KEVIN TUBBS, DANIEL GERARD McGOWAN, CHELSEA DAWN GERLACH, NATHAN FRASER BLOCK, JOYANNA L. ZACHER, SUZANNE SAVOIE, and unindicted co-conspirator WILLIAM C. RODGERS unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the malicious damaging and destroying, by means of fire and an explosive, of buildings, vehicles and other real and personal property used in interstate commerce and in activities affecting interstate commerce, at Jefferson Poplar Farm, 79114 Collins Road, Clatskanie, Columbia County, Oregon.

19a. At a time prior to May 21, 2001, defendants STANISLAS GREGORY MEYERHOFF, NATHAN FRASER BLOCK, JOYANNA L. ZACHER, CHELSEA DAWN GERLACH, DANIEL GERARD McGOWAN, and unindicted co-conspirator WILLIAM C. RODGERS participated in a meeting in which it was decided by those present that two arsons would be carried out at the same time, one at the Jefferson Poplar Farm in Clatskanie, Oregon, and the other at the University of Washington Horticulture Center in Seattle, Washington.

19b. At a time prior to May 21, 2001, defendants STANISLAS GREGORY MEYERHOFF, CHELSEA DAWN GERLACH, DANIEL GERARD McGOWAN, KEVIN TUBBS, SUZANNE SAVOIE, and unindicted co-conspirator JACOB JEREMIAH FERGUSON performed a reconnaissance for the arson at the Jefferson Poplar Farm.

19c. On or about May 21, 2001, defendants STANISLAS GREGORY MEYERHOFF, DANIEL GERARD McGOWAN, NATHAN FRASER BLOCK, JOYANNA L. ZACHER, and SUZANNE SAVOIE traveled to Jefferson Poplar Farm.

19d. On or about May 21, 2001, defendants STANISLAS GREGORY MEYERHOFF, DANIEL GERARD McGOWAN, NATHAN FRASER BLOCK, and JOYANNA L. ZACHER placed time-delayed incendiary devices at several locations at and around the facility, with one of the locations being adjacent to a large propane gas tank.

19e. On or about May 21, 2001, certain defendants in the Jefferson Poplar Farm arson spray-painted graffiti at the site attributing the action to the Earth Liberation Front (ELF).

19f. On or about June 1, 2001, certain defendants in the Jefferson Poplar Farm arson issued a communique attributing the fire, along with the University of Washington fire described below, to the Earth Liberation Front (ELF). The communique was publicized by Craig Rosebraugh of the North American ELF Press Office.

20. On or about May 21, 2001, at Seattle, Washington, in the Western District of Washington, defendants STANISLAS GREGORY MEYERHOFF, CHELSEA DAWN GERLACH, unindicted co-conspirator WILLIAM C. RODGERS, and other persons unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the malicious damaging and destroying, by means of fire and an explosive, of a building and other real and personal property used in interstate commerce and in activities affecting interstate commerce, at the University of Washington Horticulture Center, Seattle, Washington.

20a. At a time prior to May 21, 2001, defendant STANISLAS GREGORY MEYERHOFF, unindicted co-conspirator WILLIAM C. ROGERS and other persons performed

one or more reconnaissances of the University of Washington Horticulture Center, Seattle, Washington.

20b. On or about June 1, 2001, certain defendants in the University of Washington arson issued a communique attributing the fire, along with the Jefferson Poplar Farm fire described above, to the Earth Liberation Front (ELF). The communique was publicized by Craig Rosebraugh of the North American ELF Press Office.

21. On or before May 28, 2001, defendant STANISLAS GREGORY MEYERHOFF and unindicted co-conspirator WILLIAM C. RODGERS authored and published a document entitled "Setting Fire with Electrical Timers, an Earth Liberation Front Guide" in order to expose to a widespread audience their methods of operation and the design of the "Cat's Cradle" incendiary device so that it would no longer be unique to the arsons committed by "the Family," thereby hindering detection by law enforcement.

22. On or about October 15, 2001, at Litchfield, California, in the Eastern District of California, defendants STANISLAS GREGORY MEYERHOFF, JOSEPH DIBEE, REBECCA RUBIN, KEVIN TUBBS, CHELSEA DAWN GERLACH, DARREN TODD THURSTON, unindicted co-conspirator WILLIAM C. RODGERS, and other persons unlawfully and willfully caused and aided, abetted, counseled, commanded, induced and procured the malicious damaging and destroying, by means of fire and explosives, of buildings and other real and personal property owned and possessed by the United States and the Bureau of Land Management of the Department of the Interior, located at the Wild Horse Facility, Litchfield, California.

22a. On or about October 15, 2001, defendant STANISLAS GREGORY MEYERHOFF and other persons placed time-delayed incendiary devices at and about the Litchfield Wild Horse Facility.

22b. On or about October 30, 2001, certain defendants in the Litchfield Wild Horse Facility arson issued a communique attributing the fire to the Earth Liberation Front (ELF). The communique was publicized by David Barbarash at the North American ALF Press Office.

All of the above conduct violated Title 18, United States Code, Section 371.

Dated this 20<sup>th</sup> day of July, 2006.

KARIN J. IMMERMUTH  
United States Attorney  
District of Oregon



KIRK A. ENGDALL  
Assistant United States Attorney